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**Before the**  
**United States House of Representatives**  
**Committee on Homeland Security**  
**Subcommittee on Transportation Security**  
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Good afternoon Chairman Rogers, Ranking Member Jackson Lee, and distinguished Members of the Subcommittee. I appreciate the opportunity to appear before you today to discuss the progress that the Transportation Security Administration (TSA) is making in fulfilling air cargo security requirements established by Congress. I thank the Subcommittee for its leadership role in promoting transportation security for the American public, and I look forward to our dialogue today and your thoughts about how we can further improve air cargo security.

TSA is pleased to report that, in conjunction with the air cargo industry, we met the August 2010 mandate included in the Implementing Recommendations of the 9/11 Commission Act of 2007 (9/11 Act) to screen 100 percent of cargo transported on flights of passenger aircraft originating within the United States. A different set of challenges confronts TSA as we continue to make substantial progress toward achieving the 100 percent screening mandate on all international inbound passenger flights to the United States. Additionally, the discovery of explosive devices last October on board aircraft originating in Yemen and ultimately bound for the United States further demonstrated the need for continued vigilance in detecting terrorist devices on board all-cargo aircraft as well as on board passenger aircraft.

Going forward, we need to utilize all available means at our disposal for countering the terrorist threat, developing initiatives with other Department of Homeland Security (DHS) components and offices, and continuing to work collaboratively with our partners internationally and in the private sector. As we pursue intelligence-driven initiatives both domestically and internationally, we will continue to work closely with the Subcommittee in examining how best

to protect the traveling public, facilitate the flow of commerce, and guard against the actions of terrorists.

### **Domestic Cargo Screening Initiatives Meet Statutory Requirements**

In fulfilling a key provision of the 9/11 Act, last August TSA worked with partners in the air cargo industry to successfully meet the 100 percent cargo screening mandate on domestic and international outbound passenger aircraft on schedule.

We met the deadline within a three-year period with the assistance from a wide spectrum of parties, including air carriers, the shipping industry, freight forwarders and major associations, such as the Air Forwarders Association and the Air Transport Association.

The Certified Cargo Screening Program (CCSP), which was permanently established in 2009 through an Interim Final Rule, has been at the center of industry's overall success. Under this program, responsibility for cargo screening is voluntarily distributed throughout the supply chain to improve security and minimize the bottleneck and potential negative impact on the integrity and movement of commerce that would be created by screening 100 percent of air cargo at the nation's airports. Currently, we have 1,167 entities serving as Certified Cargo Screening Facilities (CCSF), contributing over 54 percent of the total screening volume. Without their participation, the 100 percent screening mandate could not have been met.

TSA must remain vigilant, however, in ensuring that certified companies properly screen air cargo. In FY 2010, TSA increased its cargo inspection force from 450 to 500 and conducted 6,042 inspections on CCSF and airline screening operations. Our training must be comprehensive and compliance must be rigorously enforced. To assist in this effort, TSA recently created and released detailed screening training materials to industry partners. The materials ensure a consistent, high level of training industry-wide on TSA's requirements for cargo handling and screening, facilitate compliance with our security programs, and ultimately drive better security for air cargo.

Participation in the CCSP program is voluntary, but once accepted into the program, a CCSF becomes a regulated party. TSA has a vigorous inspection and compliance program to ensure that CCSP participants are screening as required. If inspections uncover entities violating the spirit and letter of the program requirements, there are a wide range of enforcement actions ranging from voluntary withdrawal from the program to civil enforcement, and if necessary we will undertake criminal enforcement. TSA takes the CCSP program very seriously and we vigorously ensure its integrity.

### **International Cargo Screening Faces Unique Challenges**

All high-risk cargo on international flights bound for the United States is prohibited from being transported on passenger aircraft. All high risk cargo goes through enhanced security procedures

before being shipped on all-cargo aircraft. Nevertheless, complex challenges exist in reaching 100 percent screening of cargo loaded on passenger aircraft inbound to the United States. TSA is working assiduously to meet the international requirement of the 9/11 Act mandate, and recent global events have only further demonstrated the compelling need to heighten security as soon as is practicable. In light of the latest threats and the considerable progress made by air carriers in screening international inbound cargo, TSA has requested industry comment on the feasibility of a proposed deadline of December 31, 2011 to screen 100 percent of the cargo that is transported on passenger aircraft bound for the United States – two years earlier than previously anticipated.

Air carriers were given a 30- to 45-day period (30 days for domestic, 45 days for international carriers) in which to comment on the proposed deadline, after which time TSA will review and evaluate the industry comments prior to making a final determination.

Since passenger air carriers began providing detailed reports on inbound screening percentages in June 2010, it is apparent that more cargo is being screened than TSA had earlier estimated. Many air carriers, including a high number of wide-body operators, are already at or close to 100 percent screening of air cargo inbound to the United States. However, we recognize that closing the final gap poses some operational challenges for airlines. More importantly, TSA does not have the same inspection and compliance authorities overseas that it has in the United States. While TSA can inspect and aggressively pursue enforcement action in the U.S. under the Interim Final Rule, any inspection of air cargo screening overseas requires the full voluntary cooperation of our foreign partners.

To address these challenges, TSA will continue to review other countries' National Country Security Programs (NCSP) to determine whether their programs provide a level of security commensurate with the level of security provided by existing U.S. air cargo security programs. TSA's recognition of other countries' NCSPs will provide us with government oversight of the supply chain and screening process. We are aware that many country programs support a supply chain approach similar to our CCSP. Since we cannot establish a CCSP program overseas, the NCSP approach is a key element in helping industry to accomplish the 100 percent screening goal while also enabling TSA to ensure that inspections and compliance actions are well established by the host government programs and commensurate with U.S. security standards. We are renewing our efforts to ensure broader international awareness of TSA's Congressional screening mandate, and to encourage countries to share their NCSPs with us for review.

In addition, air carriers will be able to use Authorized Representatives to perform screening on their behalf. Authorized Representatives will allow for cargo to be screened by entities such as freight forwarders, operating under the airline program, enabling them to screen the cargo at various points in the supply chain.

### **Security Arrangements Following the Air Cargo Packages Incident from Yemen**

Last October, the global counterterrorism community disrupted a potential attack when individuals in Yemen with ties to al Qaida in the Arabian Peninsula attempted to conceal and ship explosive devices in cargo on board aircraft that traveled through several foreign nations, and ultimately were bound for the United States.

TSA joined with another DHS agency, U.S. Customs and Border Protection (CBP), and immediately initiated additional measures to enhance existing protocols for screening inbound cargo. These included temporarily disallowing all air cargo shipments originating in Yemen destined for the United States and expanding the same policy to include shipments originating in Somalia. TSA has also taken appropriate measures to enhance security requirements for inbound air cargo shipments on passenger and all-cargo planes, and, together with CBP, is in close collaboration with the international shipping community to provide additional security measures for inbound shipments on all-cargo aircraft.

DHS has been working closely with air carriers to continue to refine our counterterrorism strategy based upon focused, measured intelligence-driven protocols. Our measures are designed to produce the maximum security capability without disrupting critical shipping supply chains.

### **Technology and Explosives Detection Canine Teams**

TSA's ongoing layered efforts to ensure the highest possible level of security for both domestic and international air cargo include a variety of innovative and cost-effective programs, including an ongoing analysis of technology and the inclusion of authorized representatives to screen on an airline's behalf. We will continue to partner with our international partners and will remain an intelligence-driven agency focused upon detecting, deterring and dismantling attempted terrorist attacks.

Technology will continue to play an important role in screening air cargo. We will continue to evaluate screening technologies to ensure that industry has the most effective equipment at its disposal. Currently, approximately 80 equipment models are fully certified for cargo, up from 20 in February 2009. In 2010, TSA added a new category of technology, Electro Magnetic Detection (EMD), which has proven to be an effective means of screening products such as perishable commodities.

Our explosives detection canine teams are one of our most reliable resources for cargo screening. These highly effective, mobile teams can quickly locate and identify dangerous materials that may present a threat to cargo and aircraft. Our Proprietary Explosives Detection Canine Teams pair TSA Cargo Inspectors and explosive detection canines to search cargo bound for passenger aircraft. These teams have been deployed to several of our nation's largest airports. They can also be deployed anywhere in the transportation system in support of TSA's mission during periods of heightened security.

Currently, TSA's proprietary canines in the United States perform both primary and secondary (backup) screening at airline facilities in 20 major air cargo gateway cities, screening more than 53 million pounds per month as of January 2011. TSA, working closely with the private sector, has also launched a private sector canine pilot program which, if successful, would enable industry to utilize privately operated teams that meet the same strict standards to which TSA teams are trained and maintained.

## **Conclusion**

Thank you for the opportunity to appear before the subcommittee today to discuss TSA's ongoing efforts to increase air cargo security. I look forward to your questions.